

AMENDED IN ASSEMBLY JANUARY 23, 2006

AMENDED IN ASSEMBLY JANUARY 4, 2006

AMENDED IN ASSEMBLY APRIL 11, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 874

Introduced by Assembly Member Wolk

February 18, 2005

An act to add Chapter 5 (commencing with Section 3860) to Part 2 of Division 4 of the Fish and Game Code, relating to wildlife.

LEGISLATIVE COUNSEL'S DIGEST

AB 874, as amended, Wolk. Avian flu wildlife surveillance.

Existing law creates the Fish and Game Commission in the Resources Agency, and provides for the regulation by the Department of Fish and Game of the taking of various bird species, including prohibiting the taking of certain nongame birds. Existing law also provides for the preservation of certain bird species.

This bill would enact the Avian Flu Wildlife Surveillance Act to require the Resources Agency, in consultation with the University of California, to develop and implement a plan for the surveillance, monitoring, sampling, diagnostic testing, and reporting of avian influenza in wild birds and animals in the state, among other things. The bill would require the Secretary of the Resources Agency to convene an advisory task force, known as the Avian Influenza Surveillance Task Force, composed of specified members, to assist in the development and implementation of the plan. The bill would also require the secretary, on or before July 1, 2007, to compile and submit a report on the development and implementation of an avian influenza

surveillance plan for wild birds and animals to the Legislature, the Chair of the Assembly Water, Parks, and Wildlife Committee, and the Chair of the Senate Natural Resources and Water Committee.

The bill would make legislative findings and declarations relating to avian influenza.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5 (commencing with Section 3860) is added to Part 2 of Division 4 of the Fish and Game Code, to read:

CHAPTER 5. AVIAN FLU WILDLIFE SURVEILLANCE ACT

3860. This chapter shall be known, and may be cited, as the Avian Flu Wildlife Surveillance Act.

3861. The Legislature finds and declares all of the following:

(a) Avian influenza and other emerging diseases of wildlife are a serious threat to the people of California.

(b) California is home to large populations of migratory birds and other wildlife species.

(c) California is a central part of the Pacific Flyway, and a seasonal home to species of birds that migrate to and from Asia, Central America, South America, and other regions.

(d) Surveillance of wild birds and animals across the state is a key element among efforts to prevent avian influenza and other emerging wildlife diseases from harming the people and the natural resources of the state.

(e) In the interest of public health, the state shall support an effective surveillance program for avian influenza and other emerging wildlife diseases in wild bird and animal populations.

3862. The Resources Agency, in consultation with the University of California, shall develop and implement a plan for the surveillance, monitoring, sampling, diagnostic testing, and reporting of avian influenza in wild birds and animals in the state. The Resources Agency shall consult with the United States Fish and Wildlife Service in developing the plan.

3863. The Secretary of the Resources Agency shall convene an advisory task force, known as the Avian Influenza

1 Surveillance Task Force, to assist in the development—and
2 ~~implementation~~ of the plan described in Section 3862.

3 (a) The task force shall be composed of all of the following
4 members:

5 (1) A minimum of six, and a maximum of 10, wildlife or
6 disease scientists, as designated by the Secretary of the
7 Resources Agency. At least two shall be from the University of
8 California. The remainder shall be from the University of
9 California, other universities, or other qualified research
10 organizations.

11 (2) One representative of the Resources Agency.

12 (3) One representative of the department.

13 (4) One representative of the Department of Food and
14 Agriculture.

15 (5) One representative of the State Department of Health
16 Services.

17 (6) One representative of the Office of Emergency Services.

18 (b) Members of the task force shall be appointed on or before
19 March 1, 2007.

20 (c) The task force shall be headed by a chairperson, selected
21 by the task force from among its members.

22 (d) A majority of the task force shall constitute a quorum for
23 the transaction of business.

24 (e) The duties of the task force shall include, ~~but not~~
25 ~~necessarily be limited to~~, all of the following:

26 (1) Recommending strategies and protocols for the
27 surveillance, monitoring, sampling, and diagnostic testing of
28 avian influenza and other emerging wildlife diseases in the state.

29 (2) Guiding the ~~implementation~~ *development* of a surveillance
30 program for avian influenza and other emerging wildlife diseases
31 in wildlife populations in the state.

32 (3) Recommending procedures for rapid response and
33 reporting of information on avian influenza and other infectious
34 diseases in wild birds and animals.

35 (4) Fostering communication among state agencies regarding
36 the avian influenza surveillance program and other emerging
37 wildlife diseases.

38 3864. On or before July 1, 2007, the Secretary of the
39 Resources Agency shall compile and submit a report on the
40 development—and ~~implementation~~ of an avian influenza

- 1 surveillance plan for wild birds and animals in the state. This
- 2 report shall be submitted to the Legislature, the Chair of the
- 3 Assembly Committee on Water, Parks, and Wildlife, and the
- 4 Chair of the Senate Natural Resources and Water Committee.

O